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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 040302-0382

In re patent application of

Masahiro OMATA et al.

Serial No. 10/772,593

Group Art Unit: 3723

Filed: February 6, 2004

Examiner: Maurina T. Rachuba

For: LAPPING APPARATUS AND LAPPING METHOD

REQUEST FOR ACCEPTANCE OF DUPLICATE PAPERS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In performing a status check on PAIR for the above-referenced patent application, it was discovered that PAIR did not list the Response to Species and Extension of Time which were filed on October 21, 2005.


Attached hereto are the following:

- 1) Response to Election of Species Requirement and Petition for Extension of Time;
- 2) Copy of check no. 46322.

The PTO is advised that the aforementioned documents were timely filed in the PTO on October 21, 2005, as evidenced by the attached postcard bearing the Office date stamp of October 21, 2005 thereon.

In view of the foregoing, these duplicate papers should be accepted as being timely filed on October 21, 2005.

Respectfully submitted,

By 

Date March 17, 2006

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5426  
Facsimile: (202) 672-5399

Glenn Law  
Attorney for Applicant  
Registration No. 34,371



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For: LAPPING APPARATUS AND LAPPING METHOD

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated August 25, 2005, Applicants hereby elect Species 3, Figure 13, for prosecution in the subject application. Claims 1, 5, 9, 11-13, 18, 19, 25-29 and 36 are readable on the elected species. The Examiner has indicated that claims 1, 36 and 37 are generic.

Applicants, of course, reserve the right to file a divisional application covering the non-elected subject matter and/or to receive consideration of claims to additional species as provided by 37 CFR 1.141, upon allowance of any claim that is generic, and/or claims directed to combinations that include the features of an allowed subcombination claim.

Receipt of the initial Office Action on the merits is awaited.

Respectfully submitted,

October 21, 2005

Date

Glenn Law

Reg. No. 34,371

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Washington, D.C. 20007-5109  
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Atty. Dkt. No 040302-0382

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Masahiro OMATA et al.  
Title: LAPPING APPARATUS AND LAPPING METHOD  
Appl. No.: 10/772,593  
Filing Date: 02/06/2004  
Examiner: Maurina T. Rachuba  
Art Unit: 3723

**PETITION FOR EXTENSION OF TIME**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Sir:

Applicant hereby petitions the Commissioner under 37 C.F.R. §1.136(a) for a one-month extension of time for response in the above-identified application for the period required to make the attached response timely.

The extension fee for response within the first month is \$120.00. A check for this amount is enclosed herewith.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By 

Date October 21, 2005

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5426  
Facsimile: (202) 672-5399

Glenn Law  
Attorney for Applicant  
Registration No. 34,371

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No. 46322

65-250/550

October 21, 2005

Foley & Lerner LLP  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007  
PH (202) 672-5300

AMOUNT

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Title: LAPPING APPARATUS AND LAPPING METHOD  
Inventor(s): Masahiro OMATA et al. Dkt. No. 040302-0382  
Appl. No.: 10/772,593

RESPONSE TO ELECTION OF SPECIES REQUIREMENT  
PETITION FOR EXTENSION OF TIME

CHECK NO. 46322 for \$120.00

Due Date: Oct. 25, 2005  
Date Filed: Oct. 21, 2005

GL/jkb/drb

Insp. by: *gkb*

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